THE HON'BLE MS. JUSTICE G.ROHINI

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W.P.No.8523 of 2004

ORDER:

This writ petition is filed seeking a declaration that the order of the first respondent, dated 28-01-2004, in superceding the elected Board of Directors of the second respondent-bank on the basis of the requisition of the fifth respondent, dated 20-01-2004, invoking the provisions under Section 115-B of the A.P. Co-operative Societies Act, 1964, is arbitrary and illegal and in violation of the principles of natural justice.

The prime contention of the petitioner was that such an order passed without issuing any notice or affording any opportunity to the elected Directors of the second respondent-bank is arbitrary and illegal and in violation of the principles of the natural justice.

It is to be noted that the said question has already been considered by a Division Bench of this Court in RESERVE BANK OF INDIA v. JOINT REGISTRAR/DISTRICT CO-OPERATIVE OFFICER and having considered the scope of all the relevant provisions, it was held that such an action of the respondents does not amount to violation of the principles of the natural justice.

In the light of the ratio laid down in the said division bench judgment, the relief as prayed for in the writ petition cannot be granted.

Accordingly, following the said judgment, the writ petition is dismissed. No costs.

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G.ROHINI, J.

15th September, 2005.

skmr

THE HON'BLE MS. JUSTICE G.ROHINI

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W.P.No.8523 of 2004

Dated 15-09-2005

Between:

Rambarki Surya Rao, S/o (late) Narasimham Naidu,

Aged about 52 years, Formerly President,

The Bobbili Co-op. Urban Bank Ltd., Bobbili,

R/o Sunnapu Veedhi, Bobbili,

Vizianagaram District. .. Petitioner

And

District Co-operative Officer, Vizianagaram

and others .. Respondents